



State of Wisconsin
1997 - 1998 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 588**

December 8, 1997 - Offered by Representative UNDERHEIM.

1 **AN ACT** *to amend* 441.11 (3) and 441.11 (4); and *to repeal and recreate* 441.11
2 (3) and 441.11 (4) of the statutes; **relating to:** defining the practice of nursing
3 to include acting under the direction of optometrists.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 441.11 (3) of the statutes is amended to read:
5 441.11 (3) PRACTICE OF PRACTICAL NURSING. The practice of practical nursing
6 under this chapter means the performance for compensation of any simple acts in the
7 care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any
8 act or procedure in the care of the more acutely ill, injured or infirm under the specific
9 direction of a nurse, physician, podiatrist licensed under ch. 448 or, dentist licensed
10 under ch. 447 or optometrist licensed under ch. 449, or under an order of a person
11 who is licensed to practice medicine, podiatry or dentistry in another state if that
12 person prepared the order after examining the patient in that other state and directs

1 that the order be carried out in this state. A simple act is one which does not require
2 any substantial nursing skill, knowledge or training, or the application of nursing
3 principles based on biological, physical or social sciences, or the understanding of
4 cause and effect in such acts and is one which is of a nature of those approved by the
5 board for the curriculum of schools for licensed practical nurses.

6 **SECTION 2.** 441.11 (3) of the statutes, as affected by 1997 Wisconsin Act (this
7 act), is repealed and recreated to read:

8 441.11 (3) PRACTICE OF PRACTICAL NURSING. The practice of practical nursing
9 under this chapter means the performance for compensation of any simple acts in the
10 care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any
11 act or procedure in the care of the more acutely ill, injured or infirm under the specific
12 direction of a nurse, physician, podiatrist licensed under ch. 448, dentist licensed
13 under ch. 447 or optometrist licensed under ch. 449, or under an order of a person
14 who is licensed to practice medicine, podiatry, dentistry or optometry in another state
15 if that person prepared the order after examining the patient in that other state and
16 directs that the order be carried out in this state. A simple act is one which does not
17 require any substantial nursing skill, knowledge or training, or the application of
18 nursing principles based on biological, physical or social sciences, or the
19 understanding of cause and effect in such acts and is one which is of a nature of those
20 approved by the board for the curriculum of schools for licensed practical nurses.

21 **SECTION 3.** 441.11 (4) of the statutes is amended to read:

22 441.11 (4) PRACTICE OF PROFESSIONAL NURSING. The practice of professional
23 nursing within the terms of this chapter means the performance for compensation
24 of any act in the observation or care of the ill, injured or infirm, or for the maintenance
25 of health or prevention of illness of others, which act requires substantial nursing

1 skill, knowledge or training, or application of nursing principles based on biological,
2 physical and social sciences, such as the observation and recording of symptoms and
3 reactions, the execution of procedures and techniques in the treatment of the sick
4 under the general or special supervision or direction of a physician, podiatrist
5 licensed under ch. 448 ~~or~~, dentist licensed under ch. 447 or optometrist licensed
6 under ch. 449, or under an order of a person who is licensed to practice medicine,
7 podiatry or dentistry in another state if that person prepared the order after
8 examining the patient in that other state and directs that the order be carried out
9 in this state, and the execution of general nursing procedures and techniques.
10 Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the
11 supervision of a patient and the supervision and direction of licensed practical
12 nurses and less skilled assistants.

13 **SECTION 4.** 441.11 (4) of the statutes, as affected by 1997 Wisconsin Act (this
14 act), is repealed and recreated to read:

15 441.11 (4) PRACTICE OF PROFESSIONAL NURSING. The practice of professional
16 nursing within the terms of this chapter means the performance for compensation
17 of any act in the observation or care of the ill, injured or infirm, or for the maintenance
18 of health or prevention of illness of others, which act requires substantial nursing
19 skill, knowledge or training, or application of nursing principles based on biological,
20 physical and social sciences, such as the observation and recording of symptoms and
21 reactions, the execution of procedures and techniques in the treatment of the sick
22 under the general or special supervision or direction of a physician, podiatrist
23 licensed under ch. 448, dentist licensed under ch. 447 or optometrist licensed under
24 ch. 449, or under an order of a person who is licensed to practice medicine, podiatry,
25 dentistry or optometry in another state if that person prepared the order after

1 examining the patient in that other state and directs that the order be carried out
2 in this state, and the execution of general nursing procedures and techniques.
3 Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the
4 supervision of a patient and the supervision and direction of licensed practical
5 nurses and less skilled assistants.

6 **SECTION 5. Effective dates** This act takes effect on the day after publication,
7 except as follows:

8 (1) The repeal and recreation of section 441.11 (3) and (4) of the statutes takes
9 effect on the first day of the 25th month beginning after publication.

10 (END)